



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/869,872	06/02/1997	CHRISTOPHER KEVIN BROWNELL	13237-1560	6264

27488 7590 09/30/2002

MERCHANT & GOULD
P.O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
----------	--------------

2175

DATE MAILED: 09/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/869,872

Applicant(s)

BROWNELL ET AL.

Examiner

Sam Rimell

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-46 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 26-46 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2175

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 26-28, 33-34 and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chancey et al. ('185).

The reasons for this rejection were set forth in the office action of March 2, 2000, and are hereby incorporated by reference.

Claims 29-32, 36-39 and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chancey et al. ('185) in view of Quicken 5 for Windows as evidenced by Cummings in the book Home Banking With Quicken.

The reasons for this rejection were set forth in the office action of March 2, 2000, and are hereby incorporated by reference.

Remarks

Claims 29-32, 36-39 and 43-46 as rejected under 35 USC 103 as being obvious in view of Chancey et al.:

Applicant's arguments pertaining to this rejection have been considered but are not well taken. Applicant's primary argument is that Chancey et al. does not disclose the concept of changing the payee name. Although the office action of March 2, 2000 does state that the combined actions of changing the payee name and linking it to a preferred name are an obvious variation of Chancey et al., applicant's argument appears to be that Chancey et al. does not suggest changing the payee name at all. These arguments are found to be incorrect. Chancey et

Art Unit: 2175

al. explicitly states that the payee name can actually be changed. In particular, Chancey et al. states (col. 5, lines 30-33):

With the statement displayed, the user may mark a transaction for further review with a “?”, check and change categories, change the payee or the like.” (Emphasis added).

Chancey et al. explicitly discloses the feature of changing the payee name. While the focus of the description appears to be on changes in the category name, Chancey et al. does in fact allow for changes in the payee name as an alternative, and states this very clearly in the above quotation.

Claims 29-32, 36-39 and 43-46 under 35 USC 103 as being obvious in view of Chancey et al. (‘185) in view of Quicken 5 for Windows as evidenced by Home Banking with Quicken.:

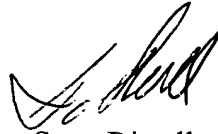
Applicant’s arguments pertaining to this rejection have been considered but are not well taken. Applicant argues that the reference to Cummings does not disclose or recite the features of claim 29. However, the office action of March 2, 2000 discusses these features in claim 29, and points to specific pages in the Cummings reference which discuss the claimed features. In particular, pages 83-89 of Cummings discloses a reconciliation process involving sequentially presented, dated transactions which are used in the reconciliation process. Applicant’s argument that Cummings does not disclose any of the features of claim 29 does not consider the teachings provided in pages 83-89 of the Cummings reference.

Applicant’s arguments pertaining to claims 27, 28, 30, 30, 31, 32, 34, 35, 37, 38, 39, 41, 42, 44, 45 and 46 are highly generic, and do not address any of specific bases for obviousness raised by the Examiner in the office action of March 2, 2000, or the reasons for obviousness provided.

Art Unit: 2175

This office action is not made final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.

A handwritten signature in black ink, appearing to read 'S. Rimell', is positioned above the printed name.

Sam Rimell
Primary Examiner
Art Unit 2175